

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY SAN SALVADOR

INFO AMEMBASSY TEGUCIGALPA

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E.O. 11652: N/A

TAGS: PFOR

SUBJECT: EL SALVADOR REQUEST FOR INFO ON IACPS

REF: SAN SALVADOR 2440

1. THE INTER-AMERICAN COMMITTEE ON PEACEFUL SETTLEMENT WAS ESTABLISHED IN 1967, WHEN THE OAS CHARTER WAS AMENDED, AS THE SUCCESSOR TO THE INTER-AMERICAN PEACE COMMITTEE, WHICH HAS ROOTS GOING BACK TO 1940. THE IAPC WAS AN ACTIVE ORGANIZATION WITH CONSIDERABLE INDEPENDENCE FROM THE OAS AND OTHER ORGANS OF THE INTER-AMERICAN SYSTEM. IT REACHED ITS MOST ACTIVE AND USEFUL STAGE IN THE FIFTIES AND EARLY SIXTIES. FOR EXAMPLE, IT DREW UP AN AGREEMENT WHICH SERVED AS A BASIS FOR COMPLYING WITH AN INTERNATIONAL COURT OF JUSTICE JUDGMENT IN A BORDER DISPUTE BETWEEN HONDURAS AND NICARAGUA.

2. THE IACPS IS A SOMEWHAT WEAKER INSTRUMENT THAN THE-IAPC
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WAS AT THE HEIGHT OF ITS IMPORTANCE. THE IACPS HAS BEEN

INVOKED ONLY ONCE -- IN 1971 -- WHEN THE U.S. SOUGHT TO REFER A TUNABOAT DISPUTE WITH ECUADOR TO IT. AND THAT EFFORT FOUNDERED WHEN ECUADOR OPPOSED ITS CONSIDERATION BY THE IACPS.

3. THE MANDATE OF THE IACPS, AS SET FORTH IN ART. 82-90 OF THE OAS CHARTER, IS FAIRLY NARROW. IF BOTH PARTIES REQUEST, THE IACPS HAS "AUTHORITY TO ASSIST THE PARTIES AND TO RECOMMEND THE PROCEDURES IT CONSIDERS SUITABLE FOR THE PEACEFUL SETTLEMENT OF THE DISPUTE". IF ONE PARTY REFUSES THE IACPS OFFER OF GOOD OFFICES, THE COMMITTEE MAY NEVERTHELESS CONTINUE TO TAKE "STEPS TO RESTORE RELATIONS BETWEEN THE PARTIES, IF THEY WERE INTERRUPTED, OR TO RE-ESTABLISH HARMONY BETWEEN THEM".

4. THE MEMBERS OF THE IACPS ARE COSTA RICA (TERM EXPIRES AUGUST 1974); UNITED STATES (1974), VENEZUELA (1975), URUGUAY (1976) AND PARAGUAY (1977). AMBASSADOR MARCO ANTONIO LOPEZ OF COSTA RICA IS CHAIRMAN; HE MAY NOT BE RE-ELECTED TO THAT POST. THERE IS NO PROHIBITION OF A COUNTRY'S RE-ELECTION TO THE IACPS, THOUGH MEMBERSHIP SHOULD TAKE GEOGRAPHIC REPRESENTATION INTO CONSIDERATION.

5. WE ARE POUCHING TO SAN SALVADOR AND TEGUCIGALPA; 1) APPROPRIATE EXCERPT FROM CHARTER; 2) A COPY OF THE IACPS STATUTES AND 3) EXCERPTS FROM A RECENT STUDY BY WILLIAM L. KRIEG ON HEMISPHERIC PEACEFUL SETTLEMENT.

6. COMMENT: EL SALVADOR'S INTEREST IN THE IACPS IS A POSITIVE DEVELOPMENT. WE WOULD BE DELIGHTED IF HONDURAS AND EL SALVADOR COULD TAKE ADVANTAGE OF A NEW FORUM TO GET SERIOUS TALKS STARTED AGAIN. NEVERTHELESS, ENCOURAGEMENT ALONG THESE LINES SHOULD BE HANDLED SO AS TO NOT INTERFERE WITH THE COMMITTEE OF SEVEN'S CURRENT EFFORTS TO RE-INITIATE TALKS. SISCO

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